



Judiciary II - Criminal Law Committee

Filed: 5/17/2007

09500SB0030ham001

LRB095 04252 RLC 36082 a

1 AMENDMENT TO SENATE BILL 30

2 AMENDMENT NO. _____. Amend Senate Bill 30 on page 1, line
3 5, by inserting "313," after "Sections"; and

4 on page 1, by inserting immediately below line 6 the following:

5 "(720 ILCS 570/313) (from Ch. 56 1/2, par. 1313)

6 Sec. 313. (a) Controlled substances which are lawfully
7 administered in hospitals or institutions licensed under the
8 "Hospital Licensing Act" shall be exempt from the requirements
9 of Sections 312 and 316 except that the prescription for the
10 controlled substance shall be in writing on the patient's
11 record, signed by the prescriber, dated, and shall state the
12 name, and quantity of controlled substances ordered and the
13 quantity actually administered. The records of such
14 prescriptions shall be maintained for two years and shall be
15 available for inspection by officers and employees of the
16 Department of State Police, and the Department of Professional

1 Regulation.

2 (b) Controlled substances that can lawfully be
3 administered or dispensed directly to a patient in a long-term
4 care facility licensed by the Department of Public Health as a
5 skilled nursing facility, intermediate care facility, or
6 long-term care facility for residents under 22 years of age,
7 are exempt from the requirements of Section 312 except that a
8 prescription for a Schedule II controlled substance must be
9 either a written prescription signed by the prescriber or a
10 written prescription transmitted by the prescriber or
11 prescriber's agent to the dispensing pharmacy by facsimile. The
12 facsimile serves as the original prescription and must be
13 maintained for 2 years from the date of issue in the same
14 manner as a written prescription signed by the prescriber.

15 (c) A prescription that is written for a Schedule II
16 controlled substance to be compounded for direct
17 administration by parenteral, intravenous, intramuscular,
18 subcutaneous, or intraspinal infusion to a patient in a private
19 residence, long-term care facility, or hospice program ~~setting~~
20 may be transmitted by facsimile by the prescriber or the
21 prescriber's agent to the pharmacy providing the home infusion
22 services. The facsimile serves as the original written
23 prescription for purposes of this paragraph (c) and it shall be
24 maintained in the same manner as the original written
25 prescription.

26 (c-1) A prescription written for a Schedule II controlled

1 substance for a patient residing in a hospice certified by
2 Medicare under Title XVIII of the Social Security Act or
3 licensed by the State may be transmitted by the practitioner or
4 the practitioner's agent to the dispensing pharmacy by
5 facsimile. The practitioner or practitioner's agent must note
6 on the prescription that the patient is a hospice patient. The
7 facsimile serves as the original written prescription for
8 purposes of this paragraph (c-1) and it shall be maintained in
9 the same manner as the original written prescription.

10 (d) Controlled substances which are lawfully administered
11 and/or dispensed in drug abuse treatment programs licensed by
12 the Department shall be exempt from the requirements of
13 Sections 312 and 316, except that the prescription for such
14 controlled substances shall be issued and authenticated on
15 official prescription logs prepared and supplied by the
16 Department. The official prescription logs issued by the
17 Department shall be printed in triplicate on distinctively
18 marked paper and furnished to programs at reasonable cost. The
19 official prescription logs furnished to the programs shall
20 contain, in preprinted form, such information as the Department
21 may require. The official prescription logs shall be properly
22 endorsed by a physician licensed to practice medicine in all
23 its branches issuing the order, with his own signature and the
24 date of ordering, and further endorsed by the practitioner
25 actually administering or dispensing the dosage at the time of
26 such administering or dispensing in accordance with

1 requirements issued by the Department. The duplicate copy shall
2 be retained by the program for a period of not less than three
3 years nor more than seven years; the original and triplicate
4 copy shall be returned to the Department at its principal
5 office in accordance with requirements set forth by the
6 Department.

7 (Source: P.A. 91-576, eff. 4-1-00; 91-714, eff. 6-2-00.); and

8 on page 5, line 14, by inserting "or the office of a county
9 sheriff or State's Attorney or municipal police department of
10 Illinois" after "Police"; and

11 on page 5, line 17, by inserting "or" after "substances;"; and

12 on page 6, line 7, by replacing "release" with "receive and
13 release prescription record information ~~release~~"; and

14 on page 6, line 14, by replacing "a" with "any Illinois ~~a~~"; and

15 on page 6, line 15, by replacing "by the Department of State
16 Police" with "~~by the Department of State Police~~"; and

17 on page 8, line 26, by inserting "or dispenser" after
18 "prescriber"; and

19 on page 9, line 1, by inserting "or dispenser" after

1 "prescriber".